# GOVERNMENT OF INDIA
# PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
# LOK SABHA

UNSTARRED QUESTION NO:142
ANSWERED ON:24.02.2016
Sanction for Prosecution
Choudhary Shri Ram Tahal;Jadhav Shri Prataprao Ganpatrao

**Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:**

(a) whether accountability has not been fixed for deliberate delay in granting approval for prosecution in cases of corruption;

(b) if so, the details thereof and the reasons therefor; and

(c) the measures taken by the Government for timely approval for granting permission for prosecution and punish the guilty persons in this regard?

## Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office. (DR. JITENDRA SINGH)
(a) & (b): The Hon'ble Supreme Court of India, vide its judgement dated 18th December,1997 in the case of Vineet Narain Vs Union of India, directed that " time limit of three months for grant of sanction for prosecution must be strictly adhered to. However, additional time of one month may be allowed where consultation is required with the Attorney General (AG) or any law Officer in the AG's office". Accordingly, instructions have been issued from time to time to all Ministries/Departments to strictly abide by the orders of the Supreme Court. It is sometimes not possible to adhere to this time limit. The delay which occurs in the sanctioning of prosecution is mostly on account of detailed scrutiny and analysis of voluminous case records and evidence, consultation with Central Vigilance Commission (CVC), State Governments and other agencies, and sometimes non-availability of relevant documentary evidence.
(c): In order to avoid delay in processing of such proposals due to procedural infirmities/ shortcomings/discrepancies in the proposals, DoP&T has switched over to Single Window System w.e.f. 01.08.2014 for accepting the proposals as per order No. 142/4/2012-AVD.I dated 28.07.2014. DoPT also conducts quarterly meeting with Central Vigilance Commission, Central Bureau of Investigation & other Central Government Ministries to monitor pending cases of sanction for prosecution and check delay in sanction for prosecution. Government has sanctioned 92 additional Special Courts across the country to dispose of prevention of corruption act cases expeditiously. Of these, 86 Courts have become functional.
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